

BEFORE: VIKTOR V. POHORELSKY
U.S. MAGISTRATE JUDGE

DATE: 12/3/02
START TIME: 11:00 a.m.
END TIME: 11:45 a.m.

DOCKET NO. CV-02-2802

ASSIGNED JUDGE: ARR

CASE NAME: United States v. Palij

CIVIL CONFERENCE

PURPOSE OF CONFERENCE: Discovery

APPEARANCES: Plaintiff Jonathan Drimmer; Michelle Heyer; Steven Kim

Defendant NO APPEARANCE

SCHEDULING AND RULINGS:

1. The further submission of papers concerning the motion by the plaintiff, by letter dated November 27, 2002, to compel the defendant to answer deposition questions is as follow:
 - a) As to each question asked at the defendant's deposition to which the defendant responded that he declined to answer on the basis of his Fifth Amendment privilege, the defendant shall set forth in writing the basis for his assertion of the privilege. *See, e.g., Estate of Fisher v. Comm'r of Internal Revenue*, 905 F.2d 645, 649 (2d Cir. 1990); *In re DG Acquisition Corp.*, 151 F.3d 75, 81 (2d Cir. 1998). The defendant's submission shall be served and submitted to the court by December 20, 2002;
 - b) The plaintiff's response to the defendant's submission shall be served and submitted by January 6, 2003.
2. All factual discovery shall be completed by March 21, 2003.
3. On or before January 21, 2003, the plaintiff shall identify all documents which it believes, in good faith, its experts will rely upon in reaching the conclusions and opinions they will seek to offer. (This is not meant to prevent the experts thereafter from relying on documents not identified.)
- 4.